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Commissioner

State of Rhode Island and Providence Plantations  
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March 29, 2019

**TO:** District Superintendents  
District EL Directors and Coordinators

**FROM:** J. David Sienko, Director  
Office of Student, Community & Academic Supports

Phyllis Lynch, Director  
Office of Instruction, Assessment and Curriculum

**SUBJECT:** State-Defined Required English Language Instructional Program Exit Criteria

Under the Every Student Succeeds Act (ESSA), State Education Agencies (SEAs) revisited the process and procedures in determining the state established exit criteria for English learners (ELs). RIDE has analyzed state-wide data of the ACCESS 2.0 assessment results, in addition to an independent data analysis from the World Class Instruction Design and Assessment (WIDA) Consortium. This data show that a revision of the exit criteria was necessary and will become effective with the 2019-2020 school year. Hence, the results of the ACCESS 2.0 spring 2019 will be subject to the newly established exit criteria.

This document outlines the minimum criteria that English Learners (ELs) must meet in order to be eligible for exit from an English Language Instructional Program (ELIP).

The criteria outlined in this document are a minimum requirement for eligibility to be considered for exit from an ELIP. A student may not be exited from the ELIP unless he/she meets these requirements. However, a local education agency (LEA) is not under any obligation to exit a student who exceeds these requirements if the LEA has compelling evidence that continued participation in the ELIP is in the best interest of the student. Whether the decision is made to exit or retain a student who has exceeded these minimum requirements, the LEA must explain the decision to the parent/guardian of the EL.

If you have questions regarding this information, please contact Flavia Molea Baker (flavia.moleabaker@ride.ri.gov) at (401) 222-8480 or Emily Klein (emily.klein@ride.ri.gov) at (401) 222-8985 in the Office for Student, Community, and Academic Supports.

## **Exit Criteria / Reclassification of ELs**

There are two required criteria for exit from the ELIP:

1. **Overall score of 4.8 or above**

*AND*

2. **The student is in grades 1-12** (*Kindergarteners are not eligible for exit*)

### **Considerations for students with disabilities**

“Before any considerations for exiting EL status are made, the schools will have ensured that the EL with disabilities receives both special education and related services as well as EL services. The EL’s special education and EL teachers will have collaborated to deliver those services in an integrated manner in the least restrictive environment. IEP goals will have been written to reflect the integration of language learning and academic content goals for the EL with disabilities.”<sup>1</sup>

**Group 1:** ELs with disabilities who are able to access all domains (i.e., listening, speaking, reading, writing) of the state’s English language proficiency assessment with or without appropriate accommodations.<sup>2</sup>

- **Overall score of 4.8 or above**

**Group 2:** For ELs with the most significant cognitive disabilities who are assessed using an alternate English language proficiency assessment.<sup>3</sup>

- **Overall Score of P2 for two (2) consecutive years**

**Group 3:** For ELs with disabilities for whom it is determined on an individual basis that their disabilities preclude assessment in one or more domains on the general or alternate English language proficiency assessment and there are no appropriate accommodations for the affected domain(s).<sup>4</sup>

- **Overall Score of 4.8 or above** (obtained with the RIDE provided tool)

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<sup>1</sup> CCSSO Framework on Supporting Educators to Prepare and Successfully Exit English Learners with Disabilities from EL Status -Published On: February 04, 2019.

<sup>2</sup> (34 CFR § 200.6(h)- (5)), (34 CFR § 200.6).

<sup>3</sup> The Title I, Part A assessment regulations require that all states “provide an alternate ELP assessment for each English learner covered under § 200.6(a)(1)(ii)—that is, those with the most significant cognitive disabilities—who cannot participate in the general ELP assessment even with appropriate accommodations” (34 CFR § 200.6(h)(5)).

<sup>4</sup> Under the Title I regulations. “If an English learner has a disability that precludes assessment of the student in one or more domains of the English language proficiency assessment required under section 1111(b)(2)(G) of the Act such that there are no appropriate accommodations for the affected domain(s) (e.g., a non-verbal English learner who because of an identified disability cannot take the speaking portion of the assessment), as determined, on an individualized basis, by the student’s IEP team, 504 team, or by the individual or team designated by the LEA to make these decisions under Title II of the ADA, as specified in paragraph (b)(1) of this section, a State must assess the student’s English language proficiency based on the remaining domains in which it is possible to assess the student (34 CFR § 200.6(h)(4)(ii)).”